



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	STEVEN J. MOORE (Tel.: 203-426-4219)	ART UNIT:	2876
APPLICATION SERIAL NO.:	09/344,010	EXAMINER:	Kim, Ahshik (Tel.: 703-305-5203)
FILING DATE:	25 JUNE 1999 (earliest priority date – June 2, 1996)	DOCKET NO.:	122995-43-34.2
TITLE:	Method and Apparatus for Purchased Product Security		

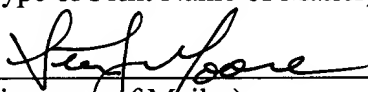
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I hereby certify that this paper (along with any referred to as being deposited) was deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Steven J. Moore

(Type or Print Name of Mailer)

Date: November 24, 2004


(Signature of Mailer)

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

This is being submitted concurrent with the Issue Fee Transmittal in the above referenced case.

- **The Examiner's Position**

The Examiner states at point 3:

“the claims are directed at a method and the system for correlating a product to its purchaser. The product is encoded with a unique item identifier identifying the manufacturer and the item (not the kind, but each item). The product is further enclosed in a package having electronically readable form correlateable with the item identifying indicia. The product is purchased at a point of sale (POS) environment. As indicated in previous Office Action(s), purchasing of items and tacking of items are generally known in the art. However, the cited references, taken alone or in combinations, fail to suggest or teach that the items and packages are identically labeled, and the items purchased at retail POS environment are being tracked on each product level as set forth in the claims.”

- **The Applicant's Comments:**

Applicant respectfully notes that the Examiner's statements are, of course, directed to only claims reciting purchase at a retail point of sale, e.g., claim 8. In respect of claim 8, it is respectfully noted that the clear language of the claim indicates that the items and packages are not necessarily “identically labeled” as may be understood from the Examiner's statement. It is unclear what is referenced in respect to “items purchased at retail POS environment are being tracked on each product level as set forth in the claims.” Applicant submits that the patentability

of the claims finds support in their limitations at least for the reasons discussed in the Appeal Brief filed February 13, 2004.

Respectfully Submitted,

Date: 11-24-04

A handwritten signature in black ink, appearing to read "Steven J. Moore", written over a horizontal line.

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